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SUBJECT: SERBIA: THE WORST FORMS OF CHILD LABOR REPORT

REF: State 158223

SUMMARY

1. Reftel requested post input for Serbia, as a recipient of trade benefits under the Generalized System of Preferences (GSP) program, on efforts to combat child labor. Serbia is upholding its international commitments to eliminate the worst forms of child labor. END SUMMARY.

INCIDENCE AND NATURE OF CHILD LABOR

2. Children in the Republic of Serbia can be found working in rural areas on family farms or other family businesses. Children also work in the informal sector, selling small items or washing car windows. Children from poor, rural communities, Roma children and children living with foster families are at the highest risk for entering exploitive child labor including begging, theft, prostitution, dealing narcotics and hard physical labor, according to a study released in March 2006 by the Labor, Employment and Social Policy Ministry and the NGO Children's Rights Center. According to UNICEF, 4.3% of non-Roma children between the ages 5 and 14 are involved in child labor - mainly unpaid and working for the family business - compared to 7% of Roma children. Of the poorest households, 8.4% of children in that age group are child laborers.

3. Serbia is a source, transit and destination country for children, particularly girls, trafficked trans-nationally and internally for forced labor and commercial sexual exploitation. The number of sex trafficking cases of women and girls has increased in the past year. Roma children are particularly vulnerable to trafficking for forced begging and theft rings.

CHILD LABOR LAWS AND ENFORCEMENT

4. The minimum age of employment is 15 years old. However, it is not clear if the minimum age for employment applies to self-employed children. Children under 18 are prohibited from hazardous work and can only enter work upon written approval of a parent or guardian and under conditions that do not "jeopardize their health, morals and education," including work that involves strenuous physical activity; work underground, underwater, or at dangerous heights; or exposure to toxic, carcinogenic substances, extreme temperatures, noise, or vibrations. Further, children under 18 are not allowed to work overtime hours or at night, and are allowed to work no more than 35 hours per week. The law provides for monetary penalties for violation of these provisions. The government is effectively enforcing child labor laws.

5. Forced labor is prohibited. Males are eligible for conscription into the armed forces at 18, but they can be recruited for voluntary

service in the year of their 17th birthday. Alternative military service is available. The criminal law addresses prostitution and pornography. Prostitution involving a minor is punishable by 1 to 10 years of imprisonment. Showing pornographic materials to minors is a criminal offense. The penal code addresses all forms of trafficking. From 2005 to 2006, 15 traffickers were convicted, with sentences ranging from 2 to 8 years of imprisonment. A group of traffickers was attempting to traffic Ukrainian girls into Serbia at a border crossing in February 2006 and was interdicted by police following extensive training of police and border guards. According to the U.S. Department of State, there were reports of corruption among some police complicit in a prostitution ring in Novi Pazar, but the government has not responded to these allegations or taken action against public officials allegedly complicit in trafficking.

CURRENT GOVERNMENT POLICIES AND PROGRAMS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

¶6. The Labor, Employment and Social Issues Ministry includes child labor prevention in its regular protection programs for children and families. A new department within the Ministry was recently created to combat social problems within the Roma community that often lead to forced labor. The focus will include improving educational and health services, among other services.

¶7. The National Council submitted an anti-trafficking strategy for 2006-2009 to the Serbian Government for approval, and the government is implementing elements of the plan. To prevent trafficking, the government's officers have refused more than 4,000 visa applications from countries of known origin of trafficking.

COMMENT

¶8. Serbia has adequate laws that meet international standards to discourage child labor. However, the government needs to be more active and effective in helping the Roma and impoverished children who are most susceptible to exploitation. The creation of new department within the Labor Ministry to help Roma children is a step in the right direction. In addition, Serbia is working with its neighbors to combat trafficking in persons. END COMMENT

MUNTER